

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

IN RE:

Conston, Inc.  
Debtor(s)

Bankruptcy No. 92-217-JKF  
Chapter 7  
**Related to Doc. No. 1287, Motion for Release of  
Unclaimed Funds**

**ORDER DISMISSING MOTION WITHOUT PREJUDICE**

**AND NOW**, this 22<sup>nd</sup> day of **June, 2011**, **WHEREAS** the above-captioned motion was not filed by an attorney;

**WHEREAS** the movant is not the alleged creditor, Barbara J. Croy, but is Brian J. Dilks, Managing Member of Dilks & Knopik, LLC, who purports to represent the creditor;

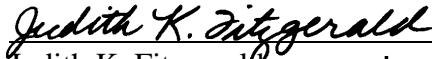
**WHEREAS** the movant does not aver that he is an attorney at law, only an attorney in fact for Ms. Croy;

**WHEREAS** neither the Debtor nor the Chapter 7 Trustee were served with the motion;

**WHEREAS** the creditor's "Affidavit of Claim History" does not allege that she is owed funds, only that she was employed by the Debtor prepetition and that her address changed;

It is **ORDERED** that the Motion for Release of Unclaimed Funds is **DENIED without prejudice** subject to being properly filed and served.

It is **FURTHER ORDERED** that movant shall immediately serve a copy of this Order on all parties in interest who do not receive electronic notice and shall file a certificate of service forthwith.

  
\_\_\_\_\_  
Judith K. Fitzgerald rmab  
United States Bankruptcy Judge

cc: Brian J. Dilks, Managing Member  
Dilks Knopik, LLC  
PO Box 2728  
Issaquah, WA 98027

Barbara J. Croy  
604 S. Court Street  
Elk Point, SD 57025-2105

